

House Engrossed Senate Bill

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

CHAPTER 249

SENATE BILL 1570

AN ACT

AMENDING LAWS 2005, CHAPTER 143, SECTION 11 AND SECTION 15; RELATING TO THE ARIZONA WATER SETTLEMENTS ACT; PROVIDING FOR DELAYED CONDITIONAL REPEAL AND CONDITIONAL ENACTMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Laws 2005, chapter 143, section 11 is amended to read:

3 Sec. 11. Water firming program for Arizona Indian tribes

4 A. The director of the department of water resources shall develop a
5 water firming program for the purpose of ensuring that, ~~after the United~~
6 ~~States secretary of interior publishes in the federal register the statements~~
7 ~~of findings described in sections 207(c) and 302(e) of~~ ACCORDING TO the
8 Arizona water settlements act ~~(P.L. 108-541)~~ (P.L. 108-451), the following
9 amounts of the non-Indian agricultural priority central Arizona project water
10 reallocated to Arizona Indian tribes under section 104(a)(1) of the Arizona
11 water settlements act (P.L. 108-451), for a period of one hundred years,
12 shall be delivered during water shortages in the same manner as central
13 Arizona project water with a municipal and industrial delivery priority is
14 delivered during water shortages:

15 1. Fifteen thousand acre-feet of the non-Indian agricultural priority
16 central Arizona project water reallocated to the Gila River Indian community
17 under section 104(a)(1)(A)(i) of the Arizona water settlements act
18 (P.L. 108-451).

19 2. Eight thousand seven hundred twenty-four acre-feet of the
20 non-Indian agricultural priority central Arizona project water reallocated to
21 Arizona Indian tribes under section 104(a)(1)(A)(iii) of the Arizona water
22 settlements act (P.L. 108-451).

23 B. The director of the department of water resources shall assist the
24 United States secretary of interior in carrying out the secretary's
25 obligations to firm twenty-eight thousand two hundred acre-feet of non-Indian
26 agricultural priority central Arizona project water reallocated to the
27 Tohono O'odham nation under section 104(a)(1)(A)(ii) of the Arizona water
28 settlements act (P.L. 108-451) in accordance with section 306 of the southern
29 Arizona water rights settlement amendments act, as added by section 301 of
30 the Arizona water settlements act (P.L. 108-451).

31 Sec. 2. Laws 2005, chapter 143, section 15 is amended to read:

32 Sec. 15. Conditional enactments; written notice

33 A. Sections 45-611, 45-2423, 45-2425 and 45-2457, Arizona Revised
34 Statutes, as amended by ~~this act~~ LAWS 2006, CHAPTER 114, sections 45-2602 and
35 45-2604, Arizona Revised Statutes, ~~as added by this act,~~ AND title 45,
36 chapter 15, articles 2, 3 and 6, Arizona Revised Statutes, ~~as added by this~~
37 ~~act, and title 45, chapter 16, Arizona Revised Statutes, as added by this~~
38 ~~act,~~ are effective only if on or before December 31, 2010 the United States
39 secretary of THE interior publishes in the federal register the ~~statements~~
40 STATEMENT of findings described in ~~sections~~ SECTION 207(c)(1) and ~~302(e)~~ of
41 the Arizona water settlements act (P.L. 108-451).

42 B. TITLE 45, CHAPTER 16, ARIZONA REVISED STATUTES, IS EFFECTIVE ONLY
43 IF ON OR BEFORE DECEMBER 31, 2010 THE UNITED STATES SECRETARY OF THE INTERIOR
44 PUBLISHES IN THE FEDERAL REGISTER THE STATEMENT OF FINDINGS DESCRIBED IN
45 SECTION 302(b) OF THE ARIZONA WATER SETTLEMENTS ACT (P.L. 108-451).

1 ~~B.~~ C. The director of the department of water resources shall
2 promptly provide written notice to the executive director of the Arizona
3 legislative council of the date of publication of the findings PRESCRIBED IN
4 SUBSECTION A OR B, OR BOTH, OF THIS SECTION or if the ~~condition~~ CONDITIONS
5 prescribed in subsection A OR B, OR BOTH, of this section ~~is~~ ARE not met.
6 The ~~date~~ DATES of publication ~~is~~ ARE the effective ~~date~~ DATES of the
7 conditional ~~enactment~~ ENACTMENTS.

8 Sec. 3. Laws 2005, chapter 143, section 16 is amended to read:

9 Sec. 16. Conditional delayed repeal; conditional enactment

10 A. Title 45, chapter 15, Arizona Revised Statutes, ~~as added by this~~
11 ~~act,~~ and LAWS 2005, CHAPTER 143, section 11 ~~of this act,~~ relating to the
12 establishment of the water firming program for Arizona Indian tribes, are
13 repealed if the condition prescribed in LAWS 2005, CHAPTER 143, section 15 ~~of~~
14 SUBSECTION A, AS AMENDED BY this act is not met.

15 B. Section 45-841.01, Arizona Revised Statutes, as amended by LAWS
16 2005, CHAPTER 143, section 3 ~~of this act,~~ is effective only if the condition
17 prescribed in LAWS 2005, CHAPTER 143, section 15 ~~of~~ SUBSECTION B, AS AMENDED
18 BY this act is not met.

APPROVED BY THE GOVERNOR JUNE 13, 2007.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 14, 2007.